

### **Remarks**

Claims 1-48, 84, and 85 were pending. Claims 3-5 have been canceled without prejudice. Claims 1, 2, 6, 84, and 85 have been amended. Claims 86 and 87 are new dependent claims. No new matter has been added.

Applicants appreciate the Examiner's indication of the allowability of claims 7-48, 84, and 85. As suggested, claim 84 has been rewritten in independent form; claim 85 and new claim 87 now depend from independent claim 84.

Importantly, neither the claim amendments nor the cancellation should be construed to be an acquiescence to any of the claim rejections. Rather, said amendments and cancellation are being made solely to expedite the prosecution of the instant application. The Applicants expressly reserve the right to prosecute further the same or similar claims in this or subsequent patent applications claiming the benefit of priority to the instant application. 35 U.S.C. §§ 120-121.

### **Response to Rejections Under 35 U.S.C. 102**

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

#### Regarding Candau

Claims 1-4 stand rejected under 35 U.S.C. 102(b) as being anticipated by Candau (US 6,214,324). Applicant respectfully traverses.

Solely to expedite prosecution, claim 1 has been amended. The limitations of original claim 5 have been imported into claim 1. Claims 1 and 2 have been further amended to address potential ambiguity in the definitions of the variables; specifically, the substituents on the naphthalene ring have been renamed "R'." No new matter has been added in making these amendments.

Accordingly, the Applicants respectfully request the withdrawal of the claim rejections under 35 U.S.C. § 102(b) based upon Candau.

Regarding Zoltewicz

Claims 1-6 stand rejected under 35 U.S.C. 102(b) as being anticipated by Zoltewicz (*Tetrahedron* 1997, 53(15), 5379-5388). Applicant respectfully traverses.

Solely to expedite prosecution, claim 1 has been amended. No new matter has been added in making these amendments.

Accordingly, the Applicants respectfully request the withdrawal of the claim rejections under 35 U.S.C. § 102(b) based upon Zoltewicz.

**Fees**

The Applicant believes no fees are required in connection with the submission of this Response. Nevertheless, the Commissioner is hereby authorized to charge any fees due in connection with the filing of this Response to our Deposit Account, **No. 06-1448, reference GUX-011.01**.

**Conclusion**

The Applicant believes that the pending claims are in condition for allowance. If a telephone conversation with Applicant's Agent would expedite prosecution of the above-identified application, the Examiner is urged to contact the undersigned.

Respectfully submitted,

FOLEY HOAG LLP

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/Janine S. Ladislaw/

Janine S. Ladislaw, Ph.D.  
Registration No. 64,000  
Agent for Applicant  
617-832-1230  
617-832-7000 (FAX)

**Customer No. 25181**  
Patent Group  
FOLEY HOAG LLP  
155 Seaport Blvd.  
Boston, MA 02210